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October 23, 1998

Mr. John C. Hall
Hall& Associates
Suite 203
1101 15th Street, NW
Washington, DC 20005-5007

Dear Mr. Hall:

Thank you for your letter of August 24, 1998, requesting clarification from the Environmental Protection Agency (EPA) Headquarters of the definition of a "maximum daily discharge limitation." The definition of "maximum daily discharge limitation," as defined in 40 CFR 122.2, is the highest allowable daily discharge. For pollutants expressed in units of mass, "daily discharge" is defined as the total mass of a pollutant discharged over a calendar day or any other 24-hour period that reasonably represents a calendar day for purposes of sampling. For pollutants expressed with limits in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.

In your letter, you correctly make the distinction between a maximum daily limitation and an instantaneous maximum limitation. An instantaneous maximum limitation is a value that is "never to be exceeded" and, theoretically, would always be higher than the maximum daily limitation.

EPA's *Technical Support Document for Water Quality-based Toxics Control* (TSD) (EPA 505/2/90-001, March 1991) is EPA's current guidance on water quality-based permitting. It provides detailed procedures for calculating water quality-based, maximum daily effluent limitations. As you mentioned in your letter, I addressed possible methods for calculating instantaneous maximum, water quality-based effluent limits in my earlier correspondence to Mr. Glenn LaBrequé, President of the Connecticut Water Pollution Abatement Association, dated February 3, 1998. EPA's guidance for calculating technology-based limits is found in the *U.S. EPA NPDES Permit Writers' Manual* (EPA-833-B-96-003, December 1996) and in the effluent guidelines development documents.

Should you have any additional questions regarding calculation of water quality-based effluent limitations, please do not hesitate to call me at (202) 260-9545 or Greg Currey, of my staff, at (202) 260-1718.

Sincerely,

James F. Pendergast /s/
Acting Director, Permits Division